



# The Scarlet Letter

Posted by **Pierluigi Oliverio** on Monday, June 25, 2007

## City Hall Diary

Last week, the San Jose City Council passed additional rules for governing lobbyists. I supported this item and made a few comments of my own.

It is important to specifically define—as best that the city can—who lobbyists are and what they do. Lobbyists who are registered with the City of San Jose are individuals who are hired and paid money and/or receive in-kind gifts to influence government decisions on behalf of their respective clients. Lobbyists use their influence—"influence" being purposeful communication for the purpose of supporting, changing, opposing or intentionally affecting the actions of city officials by persuasion, incentives, studies or analyses—to obtain an outcome in their favor.

To be fair, I don't think that lobbyists are evil people nor do I believe that they are intentionally out to destroy city processes. Many lobbyists are former staff aides and council members in addition to being developers. These folks have an internal knowledge base by default because of their employment at city hall. However, the problem there lies in the fact that registered lobbyists use their knowledge base and influence to push issues through city government. Since many people know them, and the fact that lobbyists usually represent clients with deep pockets who give money to and raise money for campaigns, those being lobbied can be placed in an uncomfortable position and "give in" to the lobbyist.

Of course one could argue—successfully so—that those being lobbied, such as elected officials, should have the guts to say no to something they disagree with. However, the relationship between a lobbyist and a council member usually begins when the council member is a candidate. During the campaign, lobbyists can raise thousands of dollars for a candidate. If the candidate should win, he/she may feel obligated to support the lobbyist and their clients because of the money they raised for the campaign. (When I ran my election, I did

not accept money from lobbyists nor did I ask lobbyists to raise money for me.)

In an effort to have some fun with a serious subject, one of my fellow council members asked if we might consider requiring lobbyists to wear a badge that says "LOBBYIST" when they roam city hall. This Nathaniel Hawthorne Scarlet-Letter approach, albeit funny, does not accomplish the overall goal that we are trying to achieve. The goal is to make visible to the average citizen what a lobbyist does and how their influence can impact the outcome of policy that affects our everyday lives.

An important part of disclosure is for the city to require candidates for city council and mayor to identify those persons who are lobbyists on their campaign fundraising reports. I raised this issue from the dais on Tuesday. This is important because I believe that the public should know whether or not the candidate is taking money from lobbyists. These reports are viewable on the city clerk's website.

Another amendment was to change the revolving door from one year to two years. As I mentioned, many former staff and elected officials leave public service with hopes to immediately use their knowledge base to benefit themselves personally. Many lobbyists make a six-figure income based entirely on their familiarity with city government.

As a council member, I only meet with lobbyists if their clients are present. In addition, my web calendar lists the word "lobbyist" next to those individuals that are registered lobbyists.

What are your thoughts regarding the amendments made to the lobbyist ordinance? What other changes/additions do you think should take place in the future?

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